ANNEX

Letter dated 10 December 1993 from the Minister for Foreign Affairs of the Azerbaijani Republic to the Chairman of the Joint Consultative Group of the Treaty on Conventional Armed Forces in Europe

I am prompted to write to you by my serious concern over the future of the Treaty on Conventional Armed Forces in Europe (the CFE Treaty) given the radically altered military and political situation in Transcaucasia. As you are well aware, the Azerbaijani Republic, which strongly supports the objectives of the Treaty, is doing everything possible for its successful implementation, since it regards that instrument as the basis for the new system of security that is taking shape in Europe.

At the same time, the moment has come to give some thought to adapting the Treaty to the new geopolitical realities, while retaining everything that is valuable and positive for the building of security structures in the "new Europe".

A serious obstacle to the implementation of the Treaty in the territory of Azerbaijan is the aggression against it by Armenia. The illegal movement of personnel, armaments and military equipment, including items limited by the Treaty, from the territory of Armenia through the occupied Lachin, Kelbajar, Kubatly and Zangelan districts of Azerbaijan to reinforce the military units of Armenia's armed forces which are engaging in military action in the territory of my country still continues. It is difficult to speak of the establishment of a regional security system or of comprehensive verification of armaments when a foreign military force armed with a large quantity of heavy weapons and constantly expanding the scale of its military activity aimed at occupying more and more parts of Azerbaijan is present in the territory of sovereign Azerbaijan, which is a Party to the CFE Treaty.

I assume the States Parties to the Treaty share Azerbaijan's view that the Treaty can be implemented only in conditions of peace. This requires the complete demilitarization of the Nagorny Karabakh region of Azerbaijan and the unconditional withdrawal of all foreign military personnel and armaments from Azerbaijan's territory.

With a view to meeting these conditions, Azerbaijan succeeded, with great difficulty, at the beginning of 1993 in including in the mandate of the CSCE Advance Monitoring Group, which was drawn up in the context of the Minsk process for the settlement of the conflict between Armenia and Azerbaijan, a provision concerning mandatory identification of all foreign military personnel and armaments and their withdrawal from the territory of Azerbaijan in cooperation with CSCE or another competent international mission. Armenia, however, which at that time did everything it could to oppose the adoption of such a mandate, is still to this day continuing its aggressive policy against Azerbaijan.

The occupied part of my country, which comprises more than 20 per cent of its territory, is thus outside the zone monitored by international inspections

under the CFE Treaty and the Vienna document of 1992. Azerbaijan is not at present in a position to determine the quantity of armaments and the number of military personnel in the occupied part of its territory, still less to verify them.

I should also like to draw your attention to the level of effectiveness of the inspections under the CFE Treaty that are conducted in Armenia's territory. The absence from the objects of verification of a specific quantity of armaments and equipment limited by the Treaty, which are in fact being used to wage aggression against Azerbaijan, should presumably attract the attention of the inspection teams in the course of their work in Armenia. In this connection, it is appropriate to recall known cases in which official organs of the Republic of Armenia have placed obstacles in the way of the conduct of international inspections in its territory.

The issue of the reduction liabilities in respect of armaments and equipment in the territory of Azerbaijan merits special attention. In the course of the military action to resist Armenia's aggression, the military equipment of Azerbaijan's armed forces is being destroyed by hostile fire and captured as trophies by the enemy. Azerbaijan has submitted to the Joint Consultative Group data on the extent of its losses of military equipment. In fact, taking these losses into account, Azerbaijan is already at the level it is supposed to achieve when the entire reduction period is concluded.

To sum up, I should like to put forward some concrete proposals which, I am deeply convinced, will strengthen the viability of the Treaty on Conventional Armed Forces in Europe and meet the legitimate security interests of all States Parties to it:

(i) Azerbaijan proposes to all States Parties to the CFE Treaty the conduct of a comprehensive multinational inspection in the Nagorny Karabakh region of Azerbaijan for the purpose of ascertaining the true state of affairs as regards the presence of armaments and military equipment in that region and their ownership. In this context, on the basis of the principle of openness in international relations, Azerbaijan is prepared to accept such an inspection even if at that time its passive inspection quota has been used up;

(ii) Azerbaijan calls on the Joint Consultative Group to make its contribution to dealing with the consequences of Armenia's aggression against Azerbaijan by drawing up concrete measures regarding the use for this purpose of the inspection mechanism under the CFE Treaty. This would be yet another step towards strengthening the regime of the Treaty on the European continent, and particularly in Transcaucasia, an important region of its area of application;

(iii) In view of the military situation in Azerbaijan, and on the basis of the need for the Treaty to face the new realities, Azerbaijan proposes that the Joint Consultative Group begin discussion of the issue of incorporating in its reduction liability the quantity of armaments and equipment destroyed in the course of the military action. Our representatives are ready to provide the necessary information at a

meeting of the Group. Study of this issue in the Group would naturally take place within the overall context of the search for ways of bringing about the inescapable adaptation of the Treaty to the existing state of affairs on the continent. A just solution to this issue will facilitate the strengthening of agreement among the Azerbaijani public to the further development of cooperation with its partners in CSCE with a view to strengthening stability and security, thus broadening the basis for subsequent measures in the field of arms verification.

I should like to emphasize once again that the CFE Treaty was drawn up for implementation in conditions of peace. The problems indicated above regarding the implementation of the Treaty in Azerbaijan in circumstances of escalating aggression by Armenia against my country can be resolved only in direct association with the process of dealing with the consequences of that aggression.

I assume that the deep attachment of the States Parties to the CFE Treaty to the cause of strengthening security and stability in Europe will permit agreements to be arrived at which take full account of the security interests both of Azerbaijan and, of course, of its neighbouring States.

In view of the inseparable nature of the security of the States Parties to the Treaty and the close relationship between it and security throughout Europe, I count on your understanding and your constructive cooperation with Azerbaijan. I would request you to have this letter circulated to the Joint Consultative Group.

(Signed) Hassan A. HASSANOV